

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

| | | |
|--------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Criminal No. 02-CR-487D |
| v. |) | |
| |) | Filed: 10/03/02 |
| BENJAMIN C. BUETTE, JR., |) | |
| |) | Violation: 18 U.S.C. § 1343 |
| Defendant. |) | (Wire Fraud) |

INFORMATION

The United States of America, acting through its attorneys, charges:

I.

DEFENDANT

1. BENJAMIN C. BUETTE, JR. (“defendant”) is made a defendant on the charge stated herein. During the period covered by this Information, defendant was an owner and officer of Western Measurement Equipment Company (“Western Measurement”). During the period covered by this Information, Western Measurement was a distributor of petroleum pipeline accessories, such as flowmeters and strainers, to companies including Conoco, Inc. and its subsidiaries (“Conoco”).

II.

FACTUAL SETTING

2. During the period covered by this Information, Conoco was engaged in the business of maintaining petroleum pipelines and distribution facilities. From time to time, those pipelines and distribution facilities needed maintenance, repair and expansion. Conoco would purchase petroleum pipeline accessories to accomplish the necessary maintenance, repair and expansion. At all times relevant to this Information, Conoco had a policy of requesting

competitive quotes for purchases of equipment, including petroleum pipeline accessories, above a certain dollar amount. The purpose of that policy was to ensure that Conoco would receive the best possible price for the equipment it was purchasing.

III.

DESCRIPTION OF THE OFFENSE

3. Beginning at least as early as October 25, 2000 and continuing at least until November 10, 2000, the exact dates being unknown to the United States, the defendant devised and intended to devise a scheme and artifice to defraud Conoco of money.

4. It was part of the scheme and artifice to defraud that the defendant and others would submit collusive, noncompetitive, and rigged bids for a Conoco contract to purchase petroleum pipeline accessories to be used in an expansion project for Conoco's North Salt Lake City facility located in Utah.

5. On or about November 7, 2000, the defendant, for the purpose of executing and carrying out the scheme and artifice to defraud and attempting to do so, did knowingly and willfully transmit and cause to be transmitted by means of a wire communication in interstate commerce, certain writings, signs, signals, or sounds; namely a telephone call from Denver, Colorado, in the District of Colorado, to another distributor of petroleum pipeline accessories located outside Colorado, in violation of Title 18, United States Code, Section 1343.

ALL IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1343.

DATED: October 03, 2002

_____/s/
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